

**COMBINED DECLARATION FOR PATENT APPLICATION
AND POWER OF ATTORNEY**

COPY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

METHOD OF INHIBITING ANGIOGENESIS

the specification of which (check one) ☐ is attached hereto or ☒ was filed on November 17, 1999 as Application Serial No. 09/443,010 and was amended on not applicable (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56.

☐ I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate have a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s):	<u>Priority Claimed</u>	
	<u>Yes</u>	<u>No</u>

Number	Country	Day/Month/Year Filed
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☐ I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional applications(s) listed below:

<u>60/116,530</u>	<u>January 20, 1999</u>
Application Ser. No.	Filing Date
<u>60/109,328</u>	<u>November 20, 1998</u>
Application Ser. No.	Filing Date

☐ I hereby claim the benefit under Title 35, United States Code, §120 of any United States applications(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application Ser. No.	Filing Date	Status: Patented, Pending, Abandoned
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POWER OF ATTORNEY: As a named inventor, I hereby appoint all Attorney(s) and/or Agent(s) associated with the following Patent Office Issued Customer Number to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.



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PATENT TRADEMARK OFFICE

Send correspondence to Genentech, Inc.

Attn: Timothy R. Schwartz, Ph.D.

Telephone: (650) 225-7467

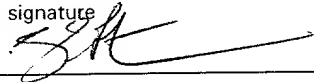
I hereby declare that all statements made herein of my own knowledge and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under Section 1001 of Title 18 of the United States Code and that willful false statements may jeopardize the validity of the application or any patent issued thereon.

The undersigned hereby authorizes the U.S. attorney or agent named herein to accept and follow instructions from his foreign patent agent as to any action to be taken in the Patent and Trademark Office regarding this application without direct communication between the U.S. attorney or agent and the undersigned. In the event of a change in the persons from whom instructions may be taken, the U.S. attorney or agent named herein will be so notified by the undersigned.

Full name of sole or first inventor

Mary E. Gerritsen

Inventor's signature



Date

May 2, 2001

Residence

541 Parrott Drive, San Mateo, California 94402

Citizenship

Canada

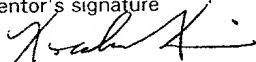
Post Office Address

1 DNA Way
South San Francisco, CA 94080

Full name of second joint inventor, if any

Xiaohua Xin

Inventor's signature



Date

May 3, 2001

Residence

402 Font Boulevard, San Francisco, California 94132

Citizenship

China

Post Office Address

1 DNA Way
South San Francisco, CA 94080

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Case No. 10466/24

Inventor(s): Mary A. Gerritsen and Xiaohua E. Xin
Title: METHOD OF INHIBITING ANGIOGENESIS

POWER OF ATTORNEY

The specification of the above-identified patent application:

- ☐ is attached hereto
☒ was filed on November 17, 1999 as application Serial No. 09/443,010

I hereby revoke all previously granted powers of attorney in the above-identified patent application and appoint the following attorneys to prosecute said patent application and to transact all business in the Patent and Trademark Office connected therewith:

Ralph J. Gabric - Reg. No. 34,167
Paul E. Rauch - Reg. No. 38,591
K. Shannon Mrksich - Reg. No. 36,675
Thomas J. Wrona - Reg. No. 44,410
Wendy M. Lee - Reg. No. 40,378
Richard B. Love - Reg. No. 34,659
Mark T. Kresnak - Reg. No. 42,767
Timothy R. Schwartz - Reg. No. 32,171
Craig G. Svoboda - Reg. No. 39,044
Lee K. Tan - Reg. No. 39,447

Sean A. Johnston - Reg. No. 35,910
Dennis G. Kleid - Reg. No. 32,037
Jeffrey S. Kubinec - Reg. No. 36,575
Atulya R. Agarwal - Reg. No. 40,887
Walter E. Buting - Reg. No. 23,092
Elizabeth M. Barnes - Reg. No. 35,059
David A. Carpenter - Reg. No. 45,945
Deirdre L. Conley - Reg. No. 36,487
Steven X. Cui - Reg. No. 44,637
Janet E. Hasak - Reg. No. 28,616

Please address all correspondence and telephone calls to Paul E. Rauch, Ph.D. in care of:

Brinks Hofer Gilson & Lione
P.O. Box 10395
Chicago, IL 60610
(312) 321-4200

The undersigned hereby authorizes the U.S. attorneys named herein to accept and follow instructions from Tim Schwartz, Esq. as to any action to be taken in the Patent and Trademark Office regarding this application without direct communication between the U.S. attorney and the undersigned. In the event of a change in the persons from whom instructions may be taken, the U.S. attorneys named herein will be so notified by the undersigned.

Genentech, Inc., a Delaware corporation, certifies that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of either:

- ☒ An assignment from the inventor(s) of the patent application identified above, a copy of which is attached hereto.
OR
☐ An assignment from the inventor(s) of the patent application identified above. The assignment was recorded in the Patent and Trademark Office at Reel _____, frame _____.
OR
☐ A chain of title from the inventor(s), of the patent application identified above, to the current assignee as shown below:

1. From _____ To: _____
The document was recorded in the Patent and Trademark Office at
Reel _____, frame _____, or a copy thereof is attached.

2. From _____ To. _____
The document was recorded in the Patent and Trademark Office at
Reel _____, frame _____, or a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

The undersigned has reviewed the assignment or all the documents in the chain of title of the patent application identified above and, to the best of undersigned's knowledge and belief, title is in the assignee identified above.

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature

Name:

Title:



Tim Schwartz, Esq.

Section Patent Attorney

Date:

5/3/01

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A S S I G N M E N T

WHEREAS, **Mary E. Gerritsen**, a citizen of Canada, residing at 541 Parrott Drive, San Mateo, California 94402, and **Xiaohua Xin**, a citizen of China, residing at 1530 - 5th Avenue, Apt. 101, San Francisco, California 94122 (hereinafter "ASSIGNORS"), have invented a new and useful invention in

METHOD OF INHIBITING ANGIOGENESIS

for which an application Serial No. 09/443,010 (Docket No. P1714R2) for Letters Patent has been Filed by them on November 17, 1999; and

WHEREAS, **GENENTECH, INC.**, a corporation organized and existing under and by virtue of the laws of the State of Delaware, having a place of business at 1 DNA Way, South San Francisco, California 94080-4990, is desirous of acquiring an interest in and to said invention, and in and to the Letters Patents to be obtained therefor;

NOW, THEREFORE, be it known by all whom it may concern;

That for good and valuable consideration the receipt of which is hereby acknowledged, the said ASSIGNORS have and do hereby sell, assign, transfer and set over unto the said **GENENTECH, INC.**, its successors and assigns, the full and exclusive right, title and interest including all rights under the Paris Convention for the Protection of Industrial Property, in and to said invention, and in and to any and all Letters Patents to be granted and issued therefor or any continuation, division, renewal, or substitute thereof, and as to Letters Patents any reissue or re-examination thereof, not only for, to, and in the United States of America, its territories and possessions, but for, to and in all other countries; and it has been and is hereby authorized and requested that the appropriate government agencies issue said Letters Patents to said **GENENTECH, INC.**, in accordance with this Assignment.

Said ASSIGNORS covenant and agree to cooperate with **GENENTECH, INC.**, to enable said **GENENTECH, INC.** to enjoy to the fullest extent the right, title and interest herein conveyed in the United States and foreign countries. Such cooperation by said ASSIGNORS includes prompt production of pertinent facts and documents, giving of testimony, execution of petitions, oaths, specifications, declarations or other papers, and other assistance all to the extent deemed necessary or desirable by said **GENENTECH, INC.**, (a) for perfecting the right, title and interest herein conveyed; (b) for prosecuting any of said applications; (c) for filing and prosecuting applications for reissuance of any of said patents; (d) for interference or other priority proceedings involving said invention; and (e) for legal proceedings involving said invention and any applications therefor and any patents granted thereon, including without limitation opposition proceedings, cancellation proceedings, priority contests, public use proceedings, infringement actions and court actions; provided, however, that the expense incurred by said ASSIGNORS in providing such cooperation shall be paid for by said **GENENTECH, INC.**

The terms and covenants of this assignment shall inure to the benefit of said **GENENTECH, INC.**, its successors, assigns and other legal representatives, and shall be binding upon said ASSIGNORS, their respective heirs, legal representatives and assigns.

Said ASSIGNORS hereby warrant and represent that they have not entered and will not enter into any assignment, contract, or understanding in conflict herewith.

IN WITNESS WHEREOF we undersign as follows:

South San Francisco, California

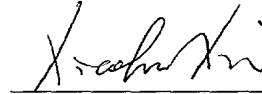
Dated: May 2, 2001, 2001

South San Francisco, California

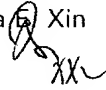
Dated: May 3, 2001



Mary E. Gerritsen



Xiaohua Xin



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